

# SENATE BILL No. 317

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-15.

**Synopsis:** Funeral directors. Changes the "funeral director intern license" to the "funeral director intern permit" for purposes of the laws governing funeral director interns beginning July 1, 2018. Establishes requirements to qualify for a funeral director intern permit beginning July 1, 2018. Makes changes to the qualifications for a funeral director license for new license applicants beginning July 1, 2018. Makes conforming changes.

**Effective:** July 1, 2016.

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January 7, 2016, read first time and referred to Committee on Commerce & Technology.

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Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## SENATE BILL No. 317

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 25-15-2-2.5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2016]: **Sec. 2.5. "ABFSE" refers to the American Board of**
- 4 **Funeral Service Education.**
- 5 SECTION 2. IC 25-15-2-13 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 13. "Funeral director
- 7 intern" means an individual who has a funeral director intern license
- 8 **(before July 1, 2018) or funeral director intern permit (after June**
- 9 **30, 2018)** issued under this article.
- 10 SECTION 3. IC 25-15-4-2, AS AMENDED BY P.L.2-2007,
- 11 SECTION 321, IS AMENDED TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) **Before July 1, 2018**, to
- 13 qualify for a funeral director intern license, an applicant must:
- 14 (1) be an individual who is at least eighteen (18) years of age;
- 15 (2) submit proof that the applicant has not been convicted of:
- 16 (A) an act that would constitute a ground for disciplinary
- 17 sanction under IC 25-1-11; and



(B) a crime that has a direct bearing on the applicant's ability to practice competently;

(3) have a diploma from an accredited high school;

(4) have successfully completed either:

(A) a course of education consisting of:

(i) thirty (30) semester hours or forty-five (45) quarter hours of college level work in a regionally accredited postsecondary educational institution that includes course work in the subjects of English, the humanities, science, business, and other electives that apply toward a baccalaureate degree from the postsecondary educational institution; and

(ii) four (4) academic quarters, or its equivalent, in an accredited college, school, or department of mortuary science approved by the board; or

(B) a twenty-one (21) month program in an accredited college, school, or department of mortuary science that has been approved by the board; and

(5) pay the fee set by the board for a funeral director intern license.

(b) The board may require an applicant for a funeral director intern license to pass an examination before issuing a license to the applicant.

**(c) This section expires July 1, 2018.**

SECTION 4. IC 25-15-4-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 2.5. (a) Beginning July 1, 2018, to qualify for a funeral director intern permit, an applicant:**

**(1) must submit proof that the applicant has not been convicted of:**

**(A) an act that would constitute a ground for disciplinary sanction under IC 25-1-11; and**

**(B) a crime that has a direct bearing on the applicant's ability to practice competently;**

**(2) must:**

**(A) have received a baccalaureate degree in funeral service from an ABFSE accredited program at an accredited postsecondary educational institution; or**

**(B) have:**

**(i) received a baccalaureate degree in a degree program that consisted of at least one hundred twenty (120) semester credit hours or one hundred eighty (180) quarter credit hours from a regionally accredited**



1            **postsecondary educational institution; and**  
 2            **(ii) successfully completed four (4) academic quarters, or**  
 3            **the equivalent, in an ABFSE accredited program at a**  
 4            **college, school, or department of mortuary science**  
 5            **approved by the board; and**

6            **(3) must pay the fee set by the board for a funeral director**  
 7            **intern permit.**

8            **(b) The board may require an applicant for a funeral director**  
 9            **intern permit to pass an examination before issuing a funeral**  
 10           **director intern permit to the applicant.**

11           SECTION 5. IC 25-15-4-3, AS AMENDED BY P.L.2-2007,  
 12           SECTION 322, IS AMENDED TO READ AS FOLLOWS  
 13           [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) **Before July 1, 2018**, an  
 14           applicant must qualify under subsection (b) to be licensed as a funeral  
 15           director. However, subject to IC 25-15-8-10, an individual qualified  
 16           under subsection (c) or (d) shall be treated as a qualified individual.

17           (b) To qualify for a funeral director license, an applicant must:

18           (1) be an individual who is at least eighteen (18) years of age;

19           (2) submit proof that the applicant has not been convicted of:

20           (A) an act that would constitute a ground for disciplinary  
 21           sanction under IC 25-1-11; or

22           (B) a crime that has a direct bearing on the applicant's ability  
 23           to practice competently;

24           (3) have a diploma from an accredited high school;

25           (4) have successfully completed either:

26           (A) a course of education consisting of:

27           (i) thirty (30) semester hours or forty-five (45) quarter hours  
 28           of college level work in a regionally accredited  
 29           postsecondary educational institution that includes course  
 30           work in the subjects of English, humanities, science,  
 31           business, and other electives that apply toward a  
 32           baccalaureate degree from the postsecondary educational  
 33           institution; and

34           (ii) four (4) academic quarters or the equivalent in an  
 35           accredited college, school, or department of mortuary  
 36           science approved by the board; or

37           (B) a twenty-one (21) month program in an accredited college,  
 38           school, or department of mortuary science approved by the  
 39           board;

40           (5) pass the examination required by the board for a funeral  
 41           director license;

42           (6) under the direct supervision of a funeral director licensee,



1 have at least one (1) year of continuous experience in the practice  
2 of funeral service; and

3 (7) pay the licensing fee set by the board for a funeral director  
4 licensee.

5 (c) An individual may be licensed as a funeral director if, on June  
6 30, 1985, the individual had a funeral director license and an embalmer  
7 license issued by the state board of embalmers and funeral directors.

8 **This subsection expires June 30, 2025.**

9 (d) An individual may be a funeral director if, on June 30, 1985, the  
10 individual had a funeral director license issued by the state board of  
11 embalmers and funeral directors. **This subsection expires June 30,**  
12 **2025.**

13 SECTION 6. IC 25-15-4-3.5 IS ADDED TO THE INDIANA CODE  
14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
15 1, 2016]: **Sec. 3.5. (a) Beginning July 1, 2018, to qualify for a**  
16 **funeral director license, an applicant must qualify under**  
17 **subsection (b) to be licensed as a funeral director. However, subject**  
18 **to IC 25-15-8-10, an individual qualified under subsection (c) shall**  
19 **be treated as a qualified individual.**

20 **(b) To qualify for a funeral director license, an applicant:**

21 **(1) must submit proof that the applicant has not been**  
22 **convicted of:**

23 **(A) an act that would constitute a ground for disciplinary**  
24 **sanction under IC 25-1-11; or**

25 **(B) a crime that has a direct bearing on the applicant's**  
26 **ability to practice competently;**

27 **(2) must:**

28 **(A) have received a baccalaureate degree in funeral service**  
29 **from an ABFSE accredited program at an accredited**  
30 **postsecondary educational institution; or**

31 **(B) have:**

32 **(i) received a baccalaureate degree in a degree program**  
33 **that consisted of at least one hundred twenty (120)**  
34 **semester credit hours or one hundred eighty (180)**  
35 **quarter credit hours from an accredited postsecondary**  
36 **educational institution; and**

37 **(ii) successfully completed four (4) academic quarters, or**  
38 **the equivalent, in an ABFSE accredited program at a**  
39 **college, school, or department of mortuary science**  
40 **approved by the board;**

41 **(3) must pass the examination required by the board for a**  
42 **funeral director license;**



(4) under the direct supervision of a funeral director licensee, must have at least one (1) year of continuous experience in the practice of funeral service as a funeral director intern; and (5) must pay the licensing fee set by the board for a funeral director licensee.

(c) An individual may be licensed as a funeral director if, on June 30, 1985, the individual had a funeral director license and an embalmer license issued by the state board of embalmers and funeral directors. This subsection expires June 30, 2025.

SECTION 7. IC 25-15-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) An individual may be an embalmer only if, on June 30, 1985, the individual had an embalmer license issued by the state board of embalmers and funeral directors.

(b) This section expires June 30, 2025.

SECTION 8. IC 25-15-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. Any qualified applicant who fails an examination and is refused a license may take the next scheduled examination upon payment of an additional fee set by the board under IC 25-15-9-8. However, if an applicant fails more than one (1) funeral director intern license examination (before July 1, 2018) or funeral director intern permit examination (after June 30, 2018), or more than one (1) funeral director license examination, the board may require the applicant to submit proof to the board that the applicant has met the additional education requirements set by the board before the board allows the applicant to take another examination under this article.

SECTION 9. IC 25-15-6-1, AS AMENDED BY P.L.177-2015, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) Subject to IC 25-1-2-6(e) and except as provided in subsection (b), a license or permit issued under this article expires on the date established by the licensing agency under IC 25-1-6-4.

(b) A funeral director intern license (before July 1, 2018) or funeral director intern permit (after July 1, 2018) expires two (2) years after it is issued by the board.

SECTION 10. IC 25-15-6-4, AS AMENDED BY P.L.105-2008, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) The board shall reinstate the expired license or permit of:

- (1) a funeral director;
- (2) an embalmer;



1 (3) a funeral director intern; or  
 2 (4) a funeral home;  
 3 that applies for reinstatement of the license **or permit** not later than  
 4 three (3) years after the date the license **or permit** expired and meets  
 5 the requirements for reinstatement under IC 25-1-8-6(c).  
 6 (b) If the license **or permit** of:  
 7 (1) a funeral director;  
 8 (2) an embalmer;  
 9 (3) a funeral director intern; or  
 10 (4) a funeral home;  
 11 has been expired for more than three (3) years, the board shall reinstate  
 12 the license **or permit** if the holder of the license **or permit** applies for  
 13 reinstatement of the license **or permit** and meets the requirements for  
 14 reinstatement under IC 25-1-8-6(d).  
 15 SECTION 11. IC 25-15-8-22 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 22. A person that uses  
 17 the title "funeral director", "mortician", "undertaker", "funeral service  
 18 licensee", "funeral director intern", "embalmer", "funeral home  
 19 manager", or a variant of any of these titles without a funeral director  
 20 license or a funeral director intern license **(before July 1, 2018) or**  
 21 **funeral director intern permit (after June 30, 2018)** issued under  
 22 this article commits a Class B infraction.

